

AMENDED IN ASSEMBLY APRIL 14, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 23

Introduced by Assembly Member Smyth

December 6, 2010

An act to add Section 54952.3 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL’S DIGEST

AB 23, as amended, Smyth. Local agency meetings: simultaneous meetings: ~~prohibition~~. *compensation disclosure*.

Existing law, the Ralph M. Brown Act, requires each legislative body of a local agency to provide the time and place for holding regular meetings and requires that all meetings of a legislative body be open and public and all persons be permitted to attend unless a closed session is authorized.

~~This bill would prohibit the members of a legislative body, during a meeting of that legislative body, from convening simultaneous or serial order meetings of any other legislative body for which the members of the convened legislative body constitute at least a quorum, except as provided.~~

This bill would authorize a convened legislative body whose membership constitutes a quorum of any other legislative body to convene a meeting of the second legislative body, simultaneously or in serial order, only if a clerk or member of the convened legislative body verbally announces the amount of compensation or stipend that each member will be entitled to receive as a result of convening the simultaneous or serial meeting of the second legislative body, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 54952.3 is added to the Government
2 Code, to read:

3 ~~54952.3. During the meeting of a legislative body, the members~~
4 ~~of that legislative body shall not convene other meetings of any~~
5 ~~other legislative body, simultaneously or in serial order, where the~~
6 ~~members of the previously convened legislative body constitute~~
7 ~~at least a quorum of the legislative body that is attempting to~~
8 ~~convene a meeting. This section shall not apply to legislative bodies~~
9 ~~that are expressly authorized by statute to convene meetings~~
10 ~~simultaneously or in serial order.~~

11 54952.3. (a) *A legislative body that has convened a meeting*
12 *and whose membership constitutes a quorum of any other*
13 *legislative body may convene a meeting of that other legislative*
14 *body, simultaneously or in serial order, only if a clerk or a member*
15 *of the convened legislative body verbally announces, prior to*
16 *convening that second meeting, the amount of compensation or*
17 *stipend that each member will be entitled to receive as a result of*
18 *convening the simultaneous or serial meeting of the second*
19 *legislative body. However, the clerk or member of the legislative*
20 *body shall not be required to announce the amount of compensation*
21 *authorized by Section 34130.5 of the Health and Safety Code.*

22 (b) *For purposes of this section, compensation and stipend shall*
23 *not include amounts reimbursed for actual and necessary expenses*
24 *incurred by a member in the performance of the member's official*
25 *duties, including, but not limited to, reimbursement of expenses*
26 *relating to travel, meals, and lodging.*